

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

DR. JONATHAN M. ISOM, an individual assignee

PLAINTIFF

v.

CIVIL ACTION NO. 2:16-CV-109-KS-MTP

VALLEY FORGE INSURANCE COMPANY, et al.

DEFENDANTS

ORDER

This matter is before the Court on the Motion to Dismiss CNA Financial Corporation (“Motion to Dismiss”) [37] filed by Defendants Transportation Insurance Company and Valley Forge Insurance Company (collectively “Defendants”). In this motion, Defendants ask the Court to dismiss CNA Financial Corporation (“CNA”) from this action as Plaintiff has failed to serve a summon on CNA within the time period afforded to him by Federal Rule of Civil Procedure 4(m). Plaintiff has filed no response to refute this claim or to show good cause as to why summons has not been served on CNA. Finding that summon has not been served on CNA and that the deadline to do so has passed, the Court will therefore **grant** Defendants’ Motion to Dismiss [37].

IT IS THEREFORE ORDERED AND ADJUDGED that Defendants’ Motion to Dismiss [37] is **granted**. CNA is **dismissed with prejudice** from this action.

SO ORDERED AND ADJUDGED this the 18th day of July, 2016.

s/Keith Starrett
UNITED STATES DISTRICT JUDGE